

## SUPREME COURT OF WISCONSIN

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Case No.: 98-1737

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Complete Title  
of Case:

Douglas-Hanson Company, Inc.,  
Plaintiff-Respondent,  
v.  
BF Goodrich Company,  
Defendant-Appellant-Petitioner.

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REVIEW OF A DECISION OF THE COURT OF APPEALS  
Reported at: 229 Wis. 2d 132, 598 N.W.2d 262  
(Ct. App. 1999-Published)

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Opinion Filed: March 10, 2000  
Submitted on Briefs:  
Oral Argument: February 29, 2000

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Source of APPEAL  
COURT: Circuit  
COUNTY: St. Croix  
JUDGE: Scott R. Needham

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JUSTICES:  
Concurred:  
Dissented:  
Not Participating: WILCOX, J.

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ATTORNEYS: For the defendant-appellant-petitioner there were  
briefs by *Eric J. Magnuson, John B. Lunseth II and Rider,*  
*Bennett, Egan & Arundel, LLP,* Minneapolis, and *Daniel W.*  
*Hildebrand* and *DeWitt Ross & Stevens,* Madison, and oral argument  
by *Daniel W. Hildebrand.*

For the plaintiff-respondent there was a brief by  
*Michael R. Gray, Scott S. Payzant* and *Mackall, Crounse & Moore,*  
*PLC,* Minneapolis, and oral argument by *Scott S. Payzant.*

**NOTICE**

This opinion is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

**No. 98-1737**

**STATE OF WISCONSIN**

**:**

**IN SUPREME COURT**

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**Douglas-Hanson Company, Inc.,**

**Plaintiff-Respondent,**

**v.**

**BF Goodrich Company,**

**Defendant-Appellant-Petitioner.**

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**FILED**

**MAR 10, 2000**

**Cornelia G. Clark  
Acting Clerk of Supreme Court  
Madison, WI**

REVIEW of a decision of the Court of Appeals. *Affirmed.*

¶1 PER CURIAM. The court is equally divided on the question of whether the published decision of the court of appeals, Douglas-Hanson Co., Inc. v. BF Goodrich Co., No. 98-1737 (June 29, 1999), should be affirmed or reversed. Chief Justice SHIRLEY S. ABRAHAMSON, Justice ANN WALSH BRADLEY, and Justice DAVID T. PROSSER would affirm; Justice WILLIAM A. BABLITCH, Justice N. PATRICK CROOKS, and Justice DIANE S. SYKES would reverse. Justice JON P. WILCOX did not participate.

¶2 Accordingly, the decision of the court of appeals is affirmed.

